

**NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.**
See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24.

FILED BY CLERK

MAR 24 2011

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

AMANDA LANGLEY,)	
)	
Petitioner/Appellee,)	2 CA-CV 2010-0181
)	DEPARTMENT B
v.)	<u>MEMORANDUM DECISION</u>
)	Not for Publication
DUANE SACKRIDER,)	Rule 28, Rules of Civil
)	Appellate Procedure
Respondent/Appellant.)	
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APPEAL FROM THE SUPERIOR COURT OF PINAL COUNTY

Cause No. S1100CV201002649

Honorable William J. O'Neil, Judge

AFFIRMED

Duane Sackrider

Surprise
In Propria Persona

ECKERSTROM, Judge.

¶1 This appeal stems from an order of protection entered against the appellant, Duane Sackrider. The order was initially granted *ex parte* by the Florence/Coolidge Justice Court, continued by the court after a contested hearing, and affirmed on appeal by the Pinal County Superior Court. We have jurisdiction to review the superior court's

ruling because it constitutes an order “refusing to . . . dissolve an injunction” within the meaning of A.R.S. § 12-2101(F)(2). *See* A.R.S. § 12-120.21(A)(1); *LaFaro v. Cahill*, 203 Ariz. 482, ¶ 8, 56 P.3d 56, 59 (App. 2002); *see also* Ariz. R. Prot. Order P. 9(A)(2), (B).

¶2 The appellee, Sackrider’s adult stepdaughter, has failed to file an answering brief with this court. In the exercise of our discretion, we decline to treat this as a confession of error due to the absence of a debatable issue raised on appeal. *See In re Marriage of Diezsi*, 201 Ariz. 524, ¶ 2, 38 P.3d 1189, 1190 (App. 2002); *Guethe v. Truscott*, 185 Ariz. 29, 30, 912 P.2d 33, 34 (App. 1995).

¶3 In his opening brief, Sackrider maintains the justice court “refused to admit relevant evidence” he offered at the hearing and thereby violated Rule 5 of the Arizona Rules of Protective Order Procedure. He has failed, however, to provide any citation to the record specifying the evidentiary ruling he wishes to challenge, as required by Rule 13(a)(4), (6), Ariz. R. Civ. App. P. “We have no obligation to search the record for this error.” *Spillios v. Green*, 137 Ariz. 443, 447, 671 P.2d 421, 425 (App. 1983). Accordingly, Sackrider’s failure to comply with Rule 13(a) has waived this argument on appeal. *See Spillios*, 137 Ariz. at 447, 671 P.2d at 425.

¶4 Sackrider asks this court to grant him leeway and excuse his noncompliance with the rules of procedure because he is self-represented. Although we are sympathetic with the plight of those who cannot afford legal counsel on appeal, “[p]arties who choose to represent themselves ‘are entitled to no more consideration than if they had been represented by counsel’ and are held to the same standards as attorneys

with respect to ‘familiarity with required procedures and . . . notice of statutes and local rules.’” *In re Marriage of Williams*, 219 Ariz. 546, ¶ 13, 200 P.3d 1043, 1046 (App. 2008), quoting *Smith v. Rabb*, 95 Ariz. 49, 53, 386 P.2d 649, 652 (1963) (omission in *Williams*). Sackrider’s brief does not conform to the basic requirements plainly set forth in our rules, which are designed to provide procedural fairness to opposing parties and an appropriate context for this court to identify the precise issues raised. Although Sackrider offers additional complaints about the trial court proceedings in his opening brief, we similarly decline to address them because they have not been properly developed and supported with citations to the law or record. See Ariz. R. Civ. App. P. 13(a)(4), (6); *Ritchie v. Krasner*, 221 Ariz. 288, ¶¶ 61-62, 211 P.3d 1272, 1289 (App. 2009); *In re \$26,980.00 U.S. Currency*, 199 Ariz. 291, ¶ 28, 18 P.3d 85, 93 (App. 2000).

¶5 The superior court’s order is affirmed.

/s/ Peter J. Eckerstrom

PETER J. ECKERSTROM, Judge

CONCURRING:

/s/ Garye L. Vásquez

GARYE L. VÁSQUEZ, Presiding Judge

/s/ Virginia C. Kelly

VIRGINIA C. KELLY, Judge